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ABSTRACT

This document represents Georgia's response to the mandate of the Stewart B. McKinney Homeless Assistance Act for the education of homeless children and youth. It is comprised of a foreword and eight sections. The first section, "Introduction," sketches the history of the McKinney initiative. The second section, "The Stewart B. McKinney Homeless Assistance Act, Title VII-B," reprints relevant portions of the public law. The third section, "Compliance," summarizes Georgia's actions in response to McKinney Act requirements. The fourth section, "Plan for the Education of Homeless Children and Youth," includes a statement on public notice and opportunity to comment, a State Board of Education policy statement, and responses to provisions of Section 722 of the McKinney Act. The fifth section, "Background," summarizes Georgia's research activities related to homeless education. The sixth section, "An Assessment of Barriers to Educational Opportunities Among Homeless Children and Youth in Georgia," details state objectives, findings, and recommendations. The seventh section, "Number of Homeless Children in Georgia," presents estimates based on survey results. The eighth section, "Suggested Guidelines for the Enrollment, Transfer and Withdrawal of Homeless Children and Youth," offers policy and procedure guidance to local education agencies. The report includes one map and three tables. (AF)

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A Vision for Homeless Children

Georgia's Plan for the Education of Homeless Children and Youth

1989-91

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Georgia Department of Education
Werner Rogers, State Superintendent of Schools

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Foreword

When we think of the homeless we tend to see images of sad, lonely men sleeping on park benches. At one time that image may have been valid, but today the ranks of the homeless are filled with women and children as well as men. Homelessness is a tragedy for everyone, but it is especially devastating to children.

Education is one of the keys to breaking the cycle of homelessness. Many a battle, including homelessness, can be won with a good education. To ensure the homeless children of Georgia receive the education that could make the difference in their lives, we have developed this plan to serve their special needs.

Our plan, "A Vision for Homeless Children," will ensure that no children go uneducated merely because they have no permanent roof over their heads. Better opportunities in life through education must be our vision for and commitment to all children, especially the less fortunate. The children of Georgia are our most important natural resource. Providing a quality education to each one must be our most important challenge.

Werner Rogers
State Superintendent of Schools

Introduction

On July 22, 1987, President Ronald Reagan signed into law the Stewart B. McKinney Homeless Assistance Act P. L. 100-77. The federal omnibus legislation was enacted to provide states federal funds to establish programs to address homelessness. Title VII-B, Sections 721-23 provide for the Education of Homeless Children and Youth. Section 721 states:

It is the policy of Congress that —

1) each state education agency shall assure that each child of a homeless individual and each homeless youth have access to a free, appropriate public education which would be provided to the children of a resident of a state and is consistent with the state school attendance laws; and

2) in any state that has a residency requirement as a component of its compulsory school attendance laws, the state will review and undertake steps to revise such laws to assure that the children of homeless individuals and homeless youth are afforded a free and appropriate public education.

PUBLIC LAW 100-77—JULY 22, 1987
The Stewart B. McKinney Homeless Assistance Act, Title VII-B
Subtitle B—Education for
Homeless Children and Youth

SEC. 721. STATEMENT OF POLICY

It is the policy of the Congress that —

(1) each State educational agency shall assure that each child of a homeless individual and each homeless youth have access to a free, appropriate public education which would be provided to the children of a resident of a State and is consistent with the State school attendance laws; and

(2) in any State that has a residency requirement as a component of its compulsory school attendance laws, the State will review and undertake steps to revise such laws to assure that the children of homeless individuals and homeless youth are afforded a free and appropriate public education.

SEC. 722. GRANTS FOR STATE ACTIVITIES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

(a) **GENERAL AUTHORITY**—The Secretary of Education is, in accordance with the provisions of this section, authorized to make grants to States to carry out the activities described in subsections (c), (d), and (e).

(b) **ALLOCATION**—From the amounts appropriated for each fiscal year pursuant to subsection (g), the Secretary shall allot to each State an amount which bears the same ratio to the amount appropriated in each such year as the amount allocated under section 111 of the Elementary and Secondary Education Act of 1965 (as incorporated by reference in chapter 1 of the Education Consolidation and Improvement Act of 1981) to the local educational agencies in the State in that year bears to the total amount allocated to such agencies in all States, except that no State shall receive less than \$50,000 in any fiscal year.

(c) **AUTHORIZED ACTIVITIES**—Grants under this section shall be used—

(1) to carry out the policies set forth in section 721 in the State;

(2) to establish or designate an Office of Coordinator of Education of Homeless Children and Youth in accordance with subsection (d); and

(3) to prepare and carry out the State plan described in subsection (e).

(d) **FUNCTIONS OF THE OFFICE OF COORDINATOR**—The Coordinator of Education of Homeless Children and Youth established in each State shall—

(1) annually gather data on the number and location of homeless children and youth in the State, and such data gathering shall include the nature and extent of problems of access to, and placement of, homeless children and homeless youth in elementary and secondary schools, and the difficulties in identifying the special needs of such children;

(2) develop and carry out the State plan described in subsection (e); and

(3) prepare and submit to the Secretary a final report not later than December 31 of each year, on the data gathered pursuant to paragraph (1) of each year. To the extent that reliable current data is available in the State, each coordinator described in this subsection may use such data to fulfill requirements of paragraph (1).

(e) **STATE PLAN**—

(1) Each State shall adopt a plan to provide for the education of each homeless child or homeless youth within the State which will contain provisions designed to—

(A) authorize the State educational agency, the local educational agency, the parent or guardian of the homeless child, the homeless youth, or the applicable social worker to make the determinations required under this section; and

(B) provide procedures for the resolution of disputes regarding the educational placement of homeless children and youth.

(2) Each plan adopted under this subsection shall assure, to the extent practicable under requirements relating to education

established by State law, that local educational agencies within the State will comply with the requirements of paragraphs (3) through (6).

(3) The local educational agency of each homeless child or youth shall either—

(A) continue the child's or youth's education in the school district of origin for the remainder of the school year; or

(B) enroll the child or youth in the school district where the child or youth is actually living;

whichever is in the child's best interest or the youth's best interest.

(4) The choice regarding placement shall be made regardless of whether the child or youth is living with the homeless parents or has been temporarily placed elsewhere by the parents.

(5) Each homeless child shall be provided services comparable to services offered to other students in the school selected according to the provisions of paragraph (3), including educational services for which the child meets the eligibility criteria, such as compensatory educational programs for the disadvantaged, and educational programs for the handicapped and for students with limited English proficiency; programs in vocational education; programs for the gifted and talented; and school meals programs.

(6) The school records of each homeless child or youth shall be maintained—

(A) so that the records are available, in a timely fashion, when a child or youth enters a new school district; and

(B) in a manner consistent with section 438 of the General Education Provisions Act.

(f) APPLICATION—No State may receive a grant under this section unless the State educational agency submits an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

(g) AUTHORIZATION OF APPROPRIATIONS—

(1) There are authorized to be appropriated \$5,000,000 for each of the fiscal years 1987,

1988, 1989 and 1990 to carry out the provisions of this section.

(2) Sums appropriated in each fiscal year shall remain available for the succeeding fiscal year.

SEC. 723. EXEMPLARY GRANTS AND DISSEMINATION OF INFORMATION ACTIVITIES AUTHORIZED

(a) GENERAL AUTHORITY—

(1) The Secretary shall, from funds appropriated pursuant to subsection (f), make grants for exemplary programs that successfully address the needs of homeless students in elementary and secondary schools of the applicant.

(2) The Secretary shall, in accordance with subsection (e), conduct dissemination activities of exemplary programs designed to meet the educational needs of homeless elementary and secondary school students.

(b) APPLICANTS—The Secretary shall make grants to State and local educational agencies for the purpose described in paragraph (1) of subsection (a).

(c) ELIGIBILITY FOR GRANTS—No applicant may receive an exemplary grant under this section unless the applicant is located in a State which has submitted a State plan in accordance with the provisions of section 722.

(d) APPLICATION—Each applicant which desires to receive a demonstration grant under this section shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each such application shall include—

(1) a description of the exemplary program for which assistance is sought;

(2) assurances that the applicant will transmit information with respect to the conduct of the program for which assistance is sought; and

(3) such additional assurances that the Secretary determines are necessary.

(e) DISSEMINATION OF INFORMATION ACTIVITIES—The Secretary shall, from funds appropriated pursuant to subsection (f), conduct, directly or indirectly by way of grant, contract, or other arrangement, dissemination

activities designed to inform State and local educational agencies of exemplary programs which successfully address the special needs of homeless students.

(f) **APPROPRIATIONS AUTHORIZED—**
There is authorized to be appropriated \$2,500,000 for fiscal year 1988 to carry out the provisions of this section.

SEC. 724. NATIONAL RESPONSIBILITIES

(a) **GENERAL ACCOUNTING OFFICE—**
The Comptroller General of the United States shall prepare and submit to the Congress not later than June 30, 1988, a report on the number of homeless children and youth in all States.

(b) **SECRETARIAL RESPONSIBILITIES—**

(1) The Secretary shall monitor and review compliance with the provisions of this subtitle in accordance with the provisions of

the General Education Provisions Act.

(2) The Secretary shall prepare and submit a report to the Congress on the programs and activities authorized by this subtitle at the end of each fiscal year.

(3) The Secretary shall compile and submit a report to the Congress containing the information received from the States pursuant to section 722(d)(3) within 45 days of its receipt.

SEC. 725. DEFINITIONS

As used in this subtitle—

(1) the term "Secretary" means the Secretary of Education; and

(2) the term "State" means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

Compliance

In the spirit of and in accordance with the provisions of the Stewart B. McKinney Homeless Assistance Act (P. L. 100-77) for the Education of Homeless Children and Youth, the Georgia Board of Education has developed and adopted the State of Georgia Plan for the Education of Homeless Children and Youth. The plan outlines Georgia Board of Education policy and specifically addresses the provisions and requirements of Section 722 of the McKinney Act. Furthermore, in order to coordinate all requirements of the McKinney Act related to the education of homeless children and youth, the Georgia Department of Education has established the Office of the Coordinator of Education of Homeless Children and Youth.

State of Georgia
Plan for the Education of
Homeless Children and Youth

1989-91

Georgia Department of Education
Werner Rogers, State Superintendent of Schools

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Preface

A Vision for Homeless Children, Georgia's Plan for Homeless Children and Youth, is in response to the Stewart B. McKinney Act, P. L. 100-77. The law (P. L. 100-77) requires (1) "that each State Education Agency shall assure that each child of a homeless individual and each homeless youth have access to a free, appropriate public education which would be provided to the children of a resident of a state and is consistent with the State School Attendance Laws; and (2) in any State that has a residency requirement as a component of its' compulsory school attendance laws — the State will review and revise such laws to assure that the children of homeless individuals and homeless youth are afforded a free and appropriate education."

Section 722 of the Stewart B. McKinney Act (P. L. 100-77) states:

(1) Each State shall adopt a plan to provide for the education of each homeless child or homeless youth within the state which will contain provisions designed to

- (A) authorize the State educational agency, the local educational agency, the parent or guardian of the homeless child, the homeless youth, or the applicable social worker to make the determinations required under this section; and
- (B) provide procedures for the resolution of disputes regarding the educational placement of homeless children and youth.

(2) Each plan adopted under this subsection shall assure, to the extent practicable under requirements relating to education established by State law, that local educational agencies within the State will comply with the requirements of paragraphs (3) through (6).

(3) The local educational agency of each homeless child or youth shall either

- (A) continue the child's or youth's education in the school district of origin for the remainder of the school year, or
- (B) enroll the child or youth in the school district where the child or youth is actually living;

whichever is in the child's best interest or the youth's best interest.

(4) The choice regarding placement shall be made regardless of whether the child or youth is living with the homeless parents or has been temporarily placed elsewhere by the parents.

(5) Each homeless child shall be provided services comparable to services offered to other students in the school selected according to the provisions of paragraph (3), including educational programs for the handicapped and for students with limited English proficiency; programs in vocational education; programs for the gifted and talented; and school meals programs.

(6) The school records of each homeless child or youth shall be maintained

- (A) so that the records are available, in a timely fashion, when a child or youth enters a new school district; and
- (B) in a manner consistent with section 438 of the General Education Provision Act.

For the purpose of this Plan, the following definitions apply.

"Homeless" — A homeless individual is one who (1) lacks a fixed, regular and adequate residence or (2) has a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (Section 103(a)(1)(2) of the Act).

The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained by an Act of Congress or a State law (Section 103(c)).

"Child" and "Youth" — Persons who, if they were children of residents of the State, would be entitled to a free public education.

Georgia State Plan For the Education of Homeless Children and Youth

(In accordance with provisions of Section 722, P.
L. 100-77)

I. Public Notice and Opportunity to Comment

The Georgia Department of Education, prior to the adoption of this Plan, shall make the Plan available to the general public for comment, hold public hearings and provide an opportunity for comment by the general public on this Plan.

- A. Notices shall be provided to the general public in regard to the public hearings; the scope and purpose of the Plan; the availability of the Plan; the time, date and location of each public hearing; the procedures for the submission of the Plan to the United States Office of Education.
- B. Notices will be published or announced through newspapers or other media with circulation adequate to notify the general public about the hearings and enough in advance to afford interested parties throughout the state reasonable opportunity to participate.
- C. The public hearings will be scheduled at times and places reasonably convenient for public participation. The draft State Plan will be made available for comment for a period of at least 30 days following the public notice. All public comments will be reviewed and considered.

II. State Board of Education Policy Statement (Adopted December 1987)

- A. In accordance with Georgia Law (Section 20-2-690) every parent, guardian, or other person residing within the state and having control or charge of any child or children between their seventh or sixteenth birthdays shall enroll and send such child or children to a public school,

private school, or home study program.

- B. All children, including homeless, enrolled for 20 school days or more in the public schools of this state shall become subject to the provisions of the compulsory school attendance law.
- C. All children and youth, including homeless, who meet the following conditions are eligible for enrollment in the appropriate general education programs of the public schools and are also eligible for state funds if appropriated by the General Assembly.
 - 1. All children, including homeless, who have attained the age of five by September 1 shall be eligible for enrollment in the kindergarten program.
 - 2. All children, including homeless, who have attained the age of six by September 1 shall be eligible for enrollment in the first grade. Beginning in school year 1988-89, each child entering school prior to December 31 must have achieved the criterion score(s) established by the State Board of Education on the school readiness assessment pursuant to O.C.G.A. 20-2-281, unless the child has been identified as handicapped or limited English-proficient under policies and criteria adopted by the state board. (Refer to policies IHE and II for requirements related to first grade readiness assessment.) No student shall remain in kindergarten for more than two years.
 - 3. A child who was a legal resident of one or more other states for a period of two years immediately prior to moving to this state and who was legally enrolled in a

public or state/regional accredited kindergarten or first grade shall be eligible for enrollment in the general education programs if such child will attain the age of five for kindergarten or six for first grade by December 31 and is otherwise qualified.

4. All youth who have not attained the age of 20 by September 1 are eligible for enrollment in appropriate education programs, unless they have received a high school diploma or the equivalent.
Students who have not dropped out of school for one quarter or more and who have attained the age of 21 by September 1 are eligible for enrollment in appropriate education programs, unless they have received a high school diploma or the equivalent.
5. All homeless children and youth who are classified as special education students are eligible for enrollment in appropriate education programs through age 21 unless they have received a high school or special education diploma or the equivalent provided they were enrolled during the preceding school year and had an approved Individualized Education Program (IEP) which indicated that a successive year of enrollment was needed.
- D. Local school systems have authority to assign students who are married, parents, pregnant or re-enrolled to special programs within the regular daytime program, provided the programs are designed to earn credit toward receiving a high school diploma.
- E. The state education agency shall be responsible for assuring that the requirements of this part are carried out and that all programs will meet the

educational standards of the state. Each homeless child shall be provided services comparable to services offered to other students in the school.

III. Provisions of Section 722 (Authorized by law and by board policy)

- A. Section 20-2-131 of the Quality Basic Education Act declares it to be the policy of the state to assure that each Georgian has access to quality instruction. The law establishes statewide standards which ensure that each student, including homeless, has access to a quality program and provides a finance structure which ensures that every student has an opportunity for a quality basic education regardless of where the student lives.
- B. The Georgia Board of Education established the policies and procedures necessary to carry out the provisions of the Quality Basic Education Act. Board Policy EFA requires each local system to submit a report to the Georgia Department of Education which indicates each student's enrollment in each authorized instructional program. Reports must be submitted three times each year.
The 12 authorized programs include the following.
Kindergarten, Primary (1-3), Middle (4-8), High School-General (9-12), High School-Nonvocational Laboratory (9-12), High School-Vocational Laboratory (9-12), Category I, II, III, and IV Programs for Handicapped, Programs for Gifted, and Remedial Education Programs.
- C. A child or children defined as homeless under the Stewart B. McKinney Act will be served in these 12 programs and counted in the one-sixth segments of the school day in each program in which the student is enrolled.

- D. The State Board of Education authorizes the local education agency to make a determination regarding the educational placement of homeless children and youth. The local education agency of each homeless child and youth shall enroll the child or youth in the school district where the child or youth is actually living, or continue in the child or youth's school of origin, whichever is in the student's best interest, as determined by the local education system.
- E. Homeless students who meet eligibility criteria for Special Education, Chapter I, ESOL, Migrant Education, or Gifted Education will be provided these services. All services provided to homeless children will be comparable to services offered to other students in the school, including transportation, school meals, and any special services.
- F. Homeless students who qualify for free or reduced price meals but who are unable to provide a completed and signed application may be approved by the local official.

Local officials may complete an application for a student known to be needy if the household fails to apply.

When exercising this option, the school official **MUST** complete an application on behalf of the student based on the best household size and income information available and make an eligibility determination. The source of the information **MUST** be noted. Social security numbers of household members need not be secured and these applications may be excluded from verification. The household **MUST** be notified that the student has been certified and is receiving free or reduced-price benefits.

This option is intended for use in individual situations and does not allow eligibility determinations for categories or groups of children.

- G. School records, immunizations, birth certificates, and current academic records will be available within a 15-day period of when a child or youth enters a new school district. Data on number and location of homeless children and youth will be collected annually by the Georgia Department of Education. Data gathering will also include the nature and extent of problems of access to and placement of homeless children and youth. This data will be sent to the U.S. Secretary of Education on December 31 of each year as required by the Stewart B. McKinney Act.

IV. Procedure for Resolution of Disputes

- A. The State Superintendent of Schools will investigate complaints lodged against any local board of education believed to be in non-compliance with the Stewart B. McKinney Act and will report the results of such investigations to the State Department of Education.
- B. Each local school board will have a local policy for concerned parties to resolve any disputes in regard to providing public education to a child designated as homeless. This policy will be reviewed and approved by the Georgia Department of Education Coordinator of the Homeless.
- C. In the event the dispute cannot be resolved locally, the parent may request a review of the dispute by the Assistant Superintendent of Special Instructional Programs, Georgia Department of Education. The Assistant Superintendent of Special Instructional Programs will address the issues in the dispute within 10 days from the receipt of a written request for resolution.
- D. The Assistant Superintendent of Special Instructional Programs may, if the issue is not resolved in the written review, assign members of the Georgia Department of Education to make an

on-site visit to further clarify and resolve the issue. All complaints must be resolved within 60 days unless given written extension.

- E. The State Board of Education will review, hear, and rule on grievances from students or local boards of education which have not been resolved by the Assistant Superintendent of Special Instructional Programs.

Background

In the spring of 1988, the Georgia Department of Education commissioned the Center for Public and Urban Research at Georgia State University to conduct certain research activities related to the education of homeless children and youth and make recommendations of findings to the department. Specifically the Center was asked to do the following.

1. Investigate the legal barriers to enrolling homeless children in Georgia's public schools
2. To the extent possible, determine the number and location of homeless school-aged children at the elementary and secondary levels
3. Identify problems homeless families have experienced in enrolling their children in local school systems
4. Based on data collected make recommendations which might be used by the Georgia Department of Education to develop a state plan to carry out the mandate of providing education to homeless children and youth in Georgia

In order to accomplish these objectives the following activities were undertaken.

- a) An advisory committee representing shelter providers, homeless advocates, agency program managers and the legislature was convened.
- b) A review of Georgia statutes and Georgia Department of Education policies and regulations was conducted.
- c) Regional forums to garner advice and

information from the many people around the state with an interest in homelessness and problems affecting homeless children were scheduled and held.

- d) Surveys of school superintendents, county departments of family and children services (DFACS), sheriff departments/magistrates, community action agencies, shelters for homeless families, homeless families and six rural counties were conducted.

Data, information and observations from these activities were collected, analyzed and interpreted by the research team, then compiled in a study entitled "An Assessment of Barriers to Educational Opportunities Among Homeless Children and Youth in Georgia." In November, 1988 the empirical data and recommendations were submitted to the Department of Education and served in the development of the State Plan for the Education of Homeless Children and Youth.

An Assessment of Barriers to Educational Opportunities Among Homeless Children and Youth in Georgia Final Report OBJECTIVES

The Stewart B. McKinney Homeless Assistance Act was enacted by Congress in 1987 to provide financial assistance to deal with various aspects of the homelessness problem. Congress authorized over \$400 million for FY'87 and more than \$500 million for FY'88 for homeless assistance under provisions of the Act. A variety of specific activities were eligible for funding including emergency food and shelter programs, shelter construction and rehabilitation, and housing for homeless people who are severely handicapped. In addition, Title VII—B of the Act provides funds for state education agencies to carry out policies to ensure that homeless children have access to appropriate public education. Basically, this section of the Act states that homeless children are to have the same access to elementary and secondary education as children whose parents are

permanent, legal residents. Under Section 722 (e) of the Act, the State of Georgia has received funding to develop a state plan to carry out the mandate of providing public education to homeless children in Georgia.

Thus, the Georgia Department of Education contracted with the Center for Public and Urban Research at Georgia State University to conduct certain research activities and to make recommendations of findings to the Department which would assist in the development of the state plan. The Center was asked to study the following.

1. Investigate the legal barriers to enrolling homeless children in Georgia's public schools.

Specifically, are there any current statutes of the State of Georgia related to residency, compulsory school attendance, immunization, etc. which conflict with the mandates of the McKinney Act and, thereby, appear to prevent or preclude the possibility of homeless children having free and easy access to public education? At the local system level, the McKinney Act dictates that homeless children be allowed to either remain enrolled in the school they were attending prior to becoming homeless, or to be enrolled in the school which serves the district in which they are temporarily sheltered. Therefore, it is important to attempt to determine whether or not any of Georgia's public school systems currently have policies, either implied or in fact, which would prevent them from following the provisions of the McKinney Act. Local residency requirements, immunization policy, transportation policy, requirements governing transcripts of previous work, and evidence of special education or extraordinary behavioral needs may all act as barriers to the enrollment of homeless children in school.

2. Estimate the number of homeless children in the State.

To the extent possible, the Center was asked to determine the number of homeless school-aged children at both the elementary and the secondary levels. Also, the number

of homeless preschool children was also sought as a potential means of estimating the magnitude of the problem in the future. In order to develop regional estimates of the incidence of homeless children, the Center collected data at the county level.

3. Identify the problems homeless families have experienced in enrolling their children in local school systems by conducting interviews with a sample of homeless families.

These interviews provide the selected families an opportunity to voice their opinions about both the importance they place on keeping their children in school as well as the chance to provide first-hand insight into any barriers they have experienced in enrolling their children in the school system.

4. Based on the data collected make recommendations which might be used by the Georgia Department of Education to develop a state plan with regard to the development of current and future policies affecting the education of homeless children.

These suggestions may become the basis for the development of programs which will ensure that the full range of the McKinney Act mandates will be implemented in Georgia.

FINDINGS

Examination of Legal/Policy Barriers Affecting Homeless Children

1. Introduction

During the period the following activities were conducted to determine whether or not there are legal barriers to the education of homeless children in Georgia.

- A. Discussed the problem with Gary Wolovick, the Georgia State Department of Education's attorney.
- B. Reviewed the pertinent "laws" in Georgia School Laws, 1987. These included the constitution, the statutes, judicial decisions and opinions of the Attorney General.

- C. Reviewed the policies and regulations of the Georgia State Department of Education.
- D. Discussed the matter with Elouise Collins of the Georgia State Department of Education.
- E. Discussed the McKinney Act with Edward Smith of the U.S. Department of Education who was able to ascertain that Congress intended the residence rules to apply to both inter-state and intra-state situations.
- F. Reviewed one local school system's policy statements on attendance and residence.

2. Constitutional Provisions: A review of this kind must of necessity begin with the State Constitution. The pertinent provisions in the constitution are found in Article VIII. Education. Section I. Public Education.

- A. Section I, Paragraph I provides that:
The provision of an adequate public education for the citizens shall be a primary obligation of the State of Georgia. Public education for the citizens prior to the college or post-secondary level shall be free and shall be provided for by taxation.

NOTE: The examination of Georgia Statutes was conducted by C.T. Cummings.

Note: It has been ruled that a public school which discriminates between children of parents who pay matriculation fees and children of parents who do not pay such fees violated this provision of the Constitution that the public schools shall be free to all children of this state. (Moore v. Brinson, 170 GA. 680, 154 S.E. 141 (1930).

It has also been ruled that a child residing in a school district cannot be charged a fee for matriculation. (Several citations including Moore v. Brinson). However, these rules do not apply to nonresidents (Irvin v. Gregory, 86 Ga. 605, 13 S.E. 120 (1891).

- B. Section II, Paragraph I states:
The State Board of Education shall have such powers and duties as provided by law.
- C. Section III, Paragraph I states:
There shall be a State School Superintendent, who shall be the executive officer of the State Board of Education.

3. State Statutes, Judicial Decisions and Opinion of the Attorney General

- A. Authority to govern schools
 - (1) 20-2-59. Rules—Provides:
The county school superintendent and county board of Education shall make rules to govern the county schools of their county.
 - (2) 20-2-209. Duties of county school superintendents
The county school superintendent shall constitute the medium of communication between the State School Superintendent and the subordinate school officers. He shall be the executive officer of the county board of education; he shall be the agent of the county board in procuring such school furniture, apparatus, and educational requisites as they may order; he shall see that none but the prescribed textbooks are used by the pupils; he shall audit all accounts before an application is made to the county board for an order for payment; and he shall procure a book in which he shall keep a record of his official acts, which, together with all the books, papers, and property appertaining to his office, he shall turn over to his successor. It shall be his duty to enforce all regulations, rules, and instructions of the superintendent and of the county board according to the laws of the state and the rules and regulations made by the county board that are not in conflict with the state laws; and he shall,

together with the state supervisors, superintend the county normals and institutes for the teachers of his county and at least once every 60 days shall visit every school within his school district which receives state aid and familiarize himself with the studies taught in the schools, see what advise with the teachers, and otherwise aid and assist in the advancement of education.

B. Rules for Enrollment

(1) 20-2-150. Eligibility for Enrollment

Unless otherwise provided by subsection (b) of the Code section, all children and youth who have attained the age of five years by September 1 shall be eligible for enrollment in the appropriate general education programs authorized in this part unless they attain the age of 20 by September 1 or they have received high school diplomas or the equivalent. This shall specifically include students who have reenrolled after dropping out and who are married, parents, or pregnant. Special education students shall also be eligible for enrollment in appropriate education programs through age 21 or until they receive high school or special education diplomas or the equivalent; provided, however, they were enrolled during the preceding school year and have an approved Individualized Education Program (IEP) which indicated that a successive year of enrollment was needed. Other students who have not yet attained age 21 by September 1 or received high school diplomas or the equivalent shall be eligible for enrollment in appropriate education programs, provided they

have not dropped out of school for one quarter or more. Each local unit of administration shall have the authority to assign students who are married, parents, or pregnant or who have reenrolled after dropping out one quarter or more to programs of instruction within its regular daytime educational program, provided that a local unit of administration may develop and implement special programs of instruction limited to such students within the regular daytime educational program; provided, further, that such programs of instruction are designed to enable such students to earn course credit toward receiving high school diplomas. These programs may include instruction in prenatal care and child care. Unless otherwise provided by law, the State Board of Education shall have the authority to determine the eligibility of students for enrollment. It is declared to be the policy of this state that general and occupational education be integrated into a comprehensive educational program which will contribute to the total development of the individual.

(b) A child who was a legal resident of one or more other states for a period of two years immediately prior to moving to this state and who was legally enrolled in a public kindergarten or first grade, or a kindergarten or first grade accredited by a state or regional association, shall be eligible for enrollment in the appropriate general or special education programs authorized in this part if such child will attain the age of five for kindergarten or six for first grade by December 31 and otherwise qualifies.

(c) All children enrolled for 20 school days or more in the public schools of this state prior to their seventh birthday shall become subject to all of the provisions of this article, the provisions of Code Sections 20-2-690 through 20-2-701, and the rules and regulations of the State Board of Education relating to compulsory school attendance even though they have not attained seven years of age.

In a related opinion issued in 1980 the Attorney General stated the Georgia schools may educate children who reside with their parents in another state on the condition that tuition is paid for the children's education. (1980 Op. Att'y Gen. No. 152).

- (2) 20-2-293. Student attending school other than system of residence.

The provisions of this article and other statutes to the contrary notwithstanding the State Board of Education is authorized to provide a procedure whereby a student shall, for such compelling reasons and circumstances as may be specified by the state board, be permitted to attend and to be included as an enrolled student in the public schools of a local unit of administration wherein the student resides for the purpose of allotting state funds under this article, notwithstanding absence of an agreement between the two local units and a refusal by the board of education of the local unit wherein the student resides to approve voluntarily such transfer of the student to the public schools of the other local unit; provided, however, that the board of education of the local unit is willing to receive and to permit such student to enroll in and to attend the public schools of such local unit. The state board

shall adopt such rules, regulations, and policies as may be necessary for implementation of this Code section. Grant or refusal of permission for students to attend such schools, for the purpose of permitting state funds to follow such students, shall be entirely discretionary with the state board and shall, in the absence of a clear absence of discretion by the state board, be final and conclusive. Local units of administration may contract with each other the care, education, and transportation of students and for such other activities as they may be authorized by law to perform.

Note: This would give the Georgia State Board of Education the authority to prepare a plan meeting the provisions of the McKinney Act.

The Georgia State Department of Education Regulation covering this states:

The Georgia Board of Education has authority under Georgia Code 32-663a to establish regulations governing the transfer of pupils across local school system lines. The state board supports the basic tenet that it is the right of the parent or guardian to determine where his or her child shall attend school subject only to the control of the local system board of education receiving the child. It is, therefore, the position of the state board that any local system board of education is entitled to and shall receive state APEG funds based on the attendance in that system of all student residents of Georgia regardless of the place of residence of that student's parent or guardian provided, however, that said parent or guardian is a bona fide resident of Georgia.

C. Compulsory Attendance Rules

Georgia laws regarding compulsory attendance are contained in Title 20, Article 16, Part 1 Subpart 2, Compulsory Attendance. The law (20-2-690.1) provides that:

Every parent, guardian, or other person

residing within this state having control or charge of any child between their seventh and sixteenth birthdays shall enroll and send such child or children to a public school, . . .

It further provides that:

Local school superintendents in the case of private schools or home study programs and visiting teachers and attendance officers in the case of public schools shall have authority and it shall be their duty to file proceedings in court to enforce this subpart.

The Attorney General has provided an opinion that while the Department of Human Resources is not bound by the compulsory school attendance law, it has the duty to provide education for youths committed to it (1984 Op. Att'y Gen No. U84-47).

20-2-694 provides that:

It shall be the duty of each county and independent school system board of education and each local school superintendent to administer this subpart and to secure its enforcement in cooperation with the other state and county agencies . . .

4. **Conclusions**

- A. Current legislation gives the Georgia State Department of Education the authority to comply with the McKinney Act.
- B. Current legislation requires superintendents to enforce compulsory attendance laws.
- C. Current legislation gives the Georgia State Department of Education the authority to determine eligibility of students for programs and to establish rules for attendance of nonresident students.
- D. Current policies of the Georgia State Department of Education concerning attendance of nonresident students are permissive, leaving much discretion to the gaining system.
- E. While Georgia laws provide for free education for children of residents, neither the laws pertaining to education or the Georgia State Department

of Education policies define "residence."

- F. There are no provisions of the Georgia laws which would prohibit adoption of a plan which meets the requirements of the McKinney Act.

5. **Recommendations**

- A. The Georgia State Department of Education issue a new policy or amend its current policies to incorporate the definitions of homeless in the Stewart-McKinney Act and to affirmatively state the rights of the homeless to a free public education.
- B. The Georgia State Department of Education develop a plan complying with the McKinney Act including the provisions for placement in the school which is "in the child's best interest or the youth's best interest."

Survey of School Superintendents

The 186 separate public school superintendents were asked to indicate the number of homeless children enrolled in their school systems. A second wave of questionnaires was mailed and follow-up telephone calls were made. In spite of these attempts, however, 12 systems refused to supply us with the information we solicited: Chatham, Gordon, Gwinnett, Habersham, Heard, Liberty, Putnam, Randolph, Stephens, Taylor, Upson, and Walker. A total of 41 (22 percent) of the respondents indicated that they had enrolled homeless children during the 1987-88 school year. The total estimate of enrollment in elementary grades (K-7) was 879 for a mean of 21.4 in each system that enrolled homeless children. For high school grades (8-12), the total was 613 and the mean was 14.9.

Survey of County DFACS Offices

Responses were received from 137 DFACS offices. The personnel in the 22 offices which did not complete the survey instrument indicated to our interviewers that either they did not have the information we sought, or that it was not readily available and they could not take the time to compile it. The nonreporting offices

tended to be from counties with large populations.

The DFACS personnel were asked a variety of questions which proved to be helpful in estimating the number of homeless children in Georgia. First, they were asked to indicate the number of children they had placed in emergency shelters for the period of study (all of 1987 and the first half of 1988). The data indicate that 918 children were placed in emergency shelters during the period. Of this number, approximately 12 percent were under age five; 24 percent were between age five and 12; and 64 percent were age 12 to 18. These figures were based primarily on actual records.

Altogether, the 137 offices estimated that they served approximately 6,350 homeless families during the period of study. The actual type of assistance provided included, in descending order of frequency, referral to other available housing, financial assistance with rent payments, referral to shelters, and referral to hotels/motels. Several miscellaneous forms of assistance such as referral to other agencies, and the direct provision of food were mentioned to a much lesser degree.

Sheriff Departments/Magistrates

Respondents in 88 counties completed the questionnaire. Approximately 30 percent were completed by magistrate personnel and the remainder were completed by sheriff department personnel. We made follow-up telephone calls to the sheriff departments in the 71 nonresponding counties and the majority of the individuals we contacted indicated that they did not keep systematic records regarding evictions. Fewer than 15 percent of them simply refused to cooperate with our interviewers.

The data collected from this survey indicate that 20,612 residential evictions were performed in 1987 and 11,176 were performed during the first six months of 1988. The respondents estimated that approximately 75 percent of these evictions involved families with dependent children. They also estimated that approximately 44 percent of these families had been evicted at least one other time during the period January 1987 to July 1988.

Given the wide range in number of evictions per county, it is not statistically meaningful to compute mean ratios which could be used to estimate the likely number of evictions in the counties which did not respond to the survey. For example, of the counties that did respond, about 25 percent of them indicated that there had been no evictions in their county during the past 18 months. These zero eviction counties tend to be rural and sparsely populated; however, we cannot infer to what extent other nonrespondent counties had no evictions. Consequently, we can only speculate that the figures cited above reflect an estimate that is somewhat lower than the actual number of evictions in Georgia during the period about which we inquired.

The sheriffs and magistrates do not maintain records that keep track of family size with regard to evictions. Also, a certain percentage of the evictions that are performed are referred to as "trash jobs," i.e., the family has already vacated the building, but the sheriff/magistrate personnel are responsible for setting whatever possessions are left behind on the street. Therefore, these data are useful primarily as a means of indicating that, given the probable financial conditions which lead to dispossession of housing, it is likely that a percentage of evicted families do, in fact, become homeless (at least temporarily).

Community Action Agencies

Responses were received from 12 of the 22 Community Action Agencies serving the State, with service areas including only 63 of the 159 Georgia counties. The questionnaire used in this survey is included in Appendix I.

The types of services provided include financial assistance with rent payments, referrals to shelters and other housing, and referrals to DFACS. The agency directors were asked to estimate the number of homeless children served by age group. They estimated that there are 2,168 children under the age of five; 1,397 children age five to 11; and 1,281 children age 12 through 18. These figures include duplicated counts of children served over an 18-month period and are concentrated primarily in

the Atlanta metropolitan area. There is also difficulty in breaking out these data by county because of the agencies' record keeping system. These limitations, coupled with the rather poor response rate in this survey, would tend to relegate the use of these data to supporting estimates from primary sources.

Homeless Shelter Survey

The Task Force for the Homeless, the Georgia Network Against Domestic Violence and Georgia Residential Finance Authority provided lists of shelters across the State. These lists were cross checked for duplication and 133 shelters were identified. In addition, the Alcove, Inc. provided an updated list of emergency children's shelters. This list provided an additional 14 shelters, for a total of 146.

Of the total number, 31 shelters did not serve families with children. Eight were found to be duplicates (i.e., same shelter having different names), 14 had phone numbers that were no longer in service, and 29 were not able to be contacted after six or more separate attempts by our interviewers. Attempts were made both during the day and the early evening hours. In addition, two individuals who are responsible for three transition houses and one DeKalb County shelter were contacted, but declined to take part in the interview.

Thus, the shelter data presented below do not include the count from at least one shelter known to admit families and children. Nor do they include data from transition houses since these organizations often serve individuals who are in the process of leaving the shelter system. Four additional shelter representatives stated that their shelters no longer admit families and children, but they did provide us with information about the number of children they served during that portion of the study period when they did permit children.

Shelters were classified according to hours of operation and function: night only, day only, night and day, shelters for victims of domestic violence, and transition houses (other, more functional types were also identified). The shelters contacted accommodate from one to 30 families (mean-6.5) and total capacity was

between three and 100 individuals (mean-45). Table 1, on the next page, indicated the proximity of the shelters to local schools.

Table 1
Distance From Shelters to Public Schools

NUMBER OF SHELTERS BY TYPE OF SCHOOL			
Distance	Elementary	Middle	High
1 mile or less	23	16	13
1-5 miles	26	24	27
5-10	3	8	5
10 miles or more	3	3	7
don't know	0	2	3
no response	5	7	5

The majority of the shelters surveyed appear to be within fairly close proximity to appropriate public schools.

The respondents indicated that their shelters had served families and children for an average of almost 52 months. The average length of stay for families was approximately eight weeks and 46 of the 60 shelters surveyed indicated that they did not impose a specific limit on the amount of time that families could remain housed in their shelter. The shelters that did regulate the duration of stay had a mean limit of about 3.5 weeks. Only one third of the shelters surveyed charge a fee to stay in the shelter. (The average fee among those that do charge was \$6.70 per night.) The lack of time limit at most of the shelters would appear to have a favorable impact on the ability of homeless families to successfully enroll their children in school.

Unfortunately, it would appear from the data there is considerably more demand for accommodation in the family shelters than there is space available. The respondents indicated that about 1,250 families in need of shelter have had to be turned away during the study period because of lack of space.

The shelter operators' estimates of the number of children they have served during the study period is included in Tables 2 and 3 (see page 28). We took into account the fact that this number would, of necessity, include some duplication. It is widely accepted that homeless families tend to periodically relocate to other shelters or that they may come back to a shelter after an attempt at finding a permanent home

has failed. Many of the shelters do not keep accurate records of the names of the individuals they serve. Consequently, we know that the count from this source contains some duplication, but we can only estimate the amount. The shelter operators indicated that they believe the percentage of duplication is between 10 and 15 percent. We have adjusted the figures in Table 2 and 3 accordingly.

We also asked the shelter operators a number of questions about their clients' attempts to enroll their children in the local school systems. According to the respondents, two-thirds of the school age children are already enrolled in school when they arrive at the shelter. About 30 percent of this number are enrolled in the school that serves the district in which the shelter is located. Approximately half of the remaining percentage enrolled in a school in the same county or city system, but it is not the one that specifically serves the shelter geographically, and about half are enrolled in another system altogether.

Over 80 percent of the respondents stated that they encourage parents to enroll their children in the local school and 65 percent indicate that the parent(s) express an interest in doing so. Slightly more than half of the shelters are willing to send a representative with the shelter resident to help with the enrollment process at the local school.

The respondents were asked a series of questions designed to help assess the type of experience they perceive their residents have in dealing with the local school system. The interviewer read a statement to the respondent and then asked for a response based on a four point scale as follows:

- ... please tell us if you think homeless parents
1. have never had these experiences,
 2. rarely have these experiences,
 3. have them fairly often,
 4. always have these experiences.

The statements are delineated below along with the mean response. They are rank ordered from the most frequent occurrence to the least frequent:

- A. Parents encounter some difficulty, but the school is usually willing to admit the

children while problems are being cleared up. Mean: 3.2

- B. Parents find the school personnel to be cooperative and there are generally few problems. Mean: 2.8
- C. Parents encounter a great deal of difficulty and need an advocate to help them with school enrollment. Mean: 2.3
- D. The school refuses to admit the child even when the parents are accompanied by an advocate. Mean: 1.8

Thus, although it appears that the more cooperative scenarios are rank ordered ahead of the less cooperative scenarios, some absolute denial of school enrollment does appear to take place. When there is a delay or outright denial of enrollment, the respondents indicated that the most frequent problems were lack of transcripts and lack of immunization records. Factors such as lack of transportation, residency requirements, discipline or educational difficulties with the child were less frequently cited as problems.

Survey of Sheltered Families

The interviews with homeless families were conducted in order to provide more insight about the experiences these individuals have had in dealing with various school systems in the State. The survey instrument also allows us to develop a demographic profile of a sample of homeless families in the State. It should be noted, however, that the methodology employed to select the sample was not random. Although we did attempt to attain some geographic representation by completing interviews in Augusta, Savannah, and Dalton, the preponderance of interviews were conducted in two shelters in Atlanta. Given that the majority of shelters for homeless families are found in the Atlanta area, the proportions in our sample are logical. However, the actual interviews are more likely to be based on availability and willingness to cooperate than upon random selection.

Of the 77 families interviewed, 70 percent were black, and 30 percent were white. In 10 percent of the cases, both the mother and father were present, in four percent only the father was present, and in 86 percent only the mother was present. The average ages were 30 for the mother

and 30 for the father. The number of children present ranged from one to six and the mean was 2.4. Of the total number of children 59 percent were female; 33 percent were preschool age; 43 percent were elementary school age; 15 percent were middle school age; and eight percent were high school age.

The majority of the single parent households represented were in that status because of separation or divorce (58 percent); 19 percent had never been married; 13 percent did not know the whereabouts of their spouse; and the remainder were single parents for other reasons. Approximately 68 percent of the respondents indicated that they also had one or two additional children who were staying with friends or relatives and were not currently with them in the shelter system.

The respondents indicated that they had been homeless from less than one month to two years. The mean was 4.1 months. With regard to a permanent location or hometown, four percent of the respondents indicated that they had no permanent home; 80 percent listed various Georgia locations; eight percent listed other southern states; and 12 percent listed north central/midwestern states. About 19 percent of the respondents indicated that they resided at another shelter just prior to coming to the shelter where they were being interviewed.

The respondents were asked to indicate where they had stayed most of the time since becoming homeless. They stated that they stayed with friends or family about 32 percent of the time; in shelters 63 percent of the time; and, in miscellaneous locations five percent of the time (vacant buildings, outdoors, parks, etc.). Of the total respondents, 84 percent indicated that they had not stayed in more than two different shelters during the last 18 months; however, 31 percent indicated that they had stayed in the same shelter more than once. Of the 31 percent who stayed more than once in the same shelter, the mean number of separate visits was 2.9.

Like many other researchers dealing with the homeless, we were interested to know why the respondents had become homeless. By far, the most frequent reason cited among this particular group was domestic violence (38 percent),

followed by loss of employment due to various causes, especially illness (18 percent), incarceration of breadwinner (10 percent), eviction (11 percent), or, transportation problems (five percent). (Miscellaneous reasons accounted for the remainder). In spite of being homeless, the respondents indicated that their children had been enrolled in the school during the last nine-month school year for an average of eight months. About half of their children had changed schools during this period. A rather large percentage, however, indicated that their children had been able to remain enrolled in the same school they had been attending since the family became homeless. (Many respondents indicated that they had not told school personnel about their status because they feared reprisals against their children.)

We asked a series of questions in order to determine why homeless parents found it necessary to remove their children from their regular school. Of those respondents who had moved their children, only 18 percent of them stated that they had been asked to do so because of residency requirements. Over half of them indicated that transportation problems, either increased distance or lack of access to established bus routes, were the reasons for withdrawal of their children. A small percentage, about six percent, indicated that their children had been suspended or expelled due to discipline problems since the family had become homeless and another five percent cited miscellaneous reasons for removing their children from school.

Over 70 percent of the respondents indicated that they had tried to enroll their children (who were not already enrolled in their former home district) in the school system served by the shelter. About one-fourth of them indicated that someone from the shelter had accompanied them to the school. In general, the various school systems were rated by the homeless families as being somewhat cooperative and considerate (3.7 on a 5.0 scale).

In order to better understand the major reasons homeless families sometimes find it difficult to enroll their children in school, we provided them with a list of specific issues and asked them to rate each item according to a three

point scale: 1. not a problem; 2. a minor problem; and 3. a major problem. The response and the mean score are as follows (the higher the mean, the more severe the problem is perceived to be):

- Lack of immunization records—1.81(mean)
- Inability to show residency
other than shelter—1.78
- Lack of appropriate clothing—1.64
- Lack of transcripts/grade records—1.59
- Special education needs—1.29
- Unpaid fees at former school—1.04

It is interesting to observe that, among this group of respondents, education appears to have a high priority. About 90 percent of the respondents indicated that they viewed the education of their children as a very important priority in spite of the many problems they faced as a homeless family. Their comments indicate that they view education as a means to a better life for their children and they think of the school as a form of stability.

The respondents indicated a somewhat higher level of educational attainment than might have been expected. Only 18 percent of them failed to finish high school. Almost 49 percent were high school graduates, and 28 percent had one or more years of college (five of the respondents were college graduates). The overwhelming majority (92 percent) stated that they planned to move into either an apartment or a house when they vacated the shelter. Consequently, it would appear that this group of respondents views the shelter system as only a temporary solution to their problem and that they have not given up hope in their ability to obtain permanent shelter.

Summary and Conclusion

Much of the literature dealing with homelessness focuses on the problems associated with estimating the number of homeless families and individuals in this country. Studies which have attempted to enumerate the number of homeless adults in a particular geographic area have used a range of canvassing techniques in an attempt to enumerate a given homeless population. When the focus is upon children and the definition of homelessness is broadened to include individuals who are temporarily resid-

ing with friends or relatives, as is the case with the McKinney Act, the task of enumeration becomes even more difficult.

Certainly, our experience with this project has reinforced the notion that counting the homeless is an extremely complex and difficult task. Thus, we conclude that whereas we have gone about our task using the best social science research methods at our disposal, no one can really say exactly how many homeless children there are in Georgia. We do believe, however, that the ranges we have reported are essentially accurate.

We expect that the reader will tend to believe that the numbers are most accurate at whichever end of the range suits his or her purpose. That is the way reports are ultimately utilized. Regardless of perspective, we believe several facts supported by our data cannot escape the attention of the reader.

1. There are more homeless children in Georgia than most people imagined, including the advocacy groups.
2. Homelessness is not just an "Atlanta" problem, it is widespread.
3. The homeless parents we interviewed appear to be better educated than expected, to have traditional values regarding education for their children, and to want to escape from their current circumstances.

This has been a complicated project and we have been assisted by a variety of extremely knowledgeable people from advocacy groups, religious organizations, and public agencies. We greatly appreciate their time and cooperation.

Recommendations

The following recommendations are based upon the empirical evidence obtained through the research effort and the comments of the members of the project Advisory Committee. They are listed numerically, but that does not signify priority of importance.

1. The Department of Education should meet with the homeless advocacy groups to discuss the issue of anonymity. The data seem to indicate, and homeless parents specifically stated that homeless children would benefit

from services specifically designed for their needs. However, many of the homeless advocates believe that it is harmful to homeless children to identify them as such. It is especially necessary to be sensitive to the anonymity issue where domestic violence may be the cause of homelessness. Thus, there is a conflict between the need to provide services and the desire to protect the identity of homeless students. This conflict needs to be resolved.

2. Local school systems should send outreach personnel to the shelters within their districts to help families with various logistical problems regarding enrollment and to reassure them that their children will be welcome in the schools.
3. Training workshops and programs should be established in school districts with a large number of shelters to help prepare teachers and administrators to better deal with the problems likely to be encountered in educating homeless children. The scope of the training will, to a large extent, depend upon how the anonymity issue is resolved.
4. The data indicate that middle school and high school students who are homeless do not appear to be enrolled with the same frequency that younger children are enrolled. Given the problems that this age group faces under normal circumstances, it would appear that any special programs designed especially to help older homeless children would be highly beneficial.
5. Homeless children may need more educational instruction than the amount normally provided during a typical school day. Many of them are behind because of having moved frequently and may have trouble keeping up with their classmates. This would tend to reinforce their feelings

of frustration and isolation. It is suggested that some sort of tutorial assistance be offered in the shelters or after school to help homeless children get "on track" with their classmates.

6. The Department of Education should send out clear instruction to the various school districts informing them of the rights of the homeless under the McKinney Act and reiterating the Department's position on policies regarding residency, immunization, and transcripts which may have negative impact on homeless families.
7. The Department should solicit the opinions of teachers who frequently deal with homeless children. These individuals are likely to have expert advice with regard to the formulation of many of the policies suggested above.

Number of Homeless Children in Georgia

The following tables contain our estimate of the number of homeless children in Georgia. The data were derived from the various surveys described above. In addition, information was obtained from the Office of Migrant Education about the number of children of migrant agricultural workers who are likely to reside in Georgia during certain seasons of the year. In each case, the estimates are provided according to two age groups—preschool and school aged. One comment should be made about these estimates. There is one additional likely source of information about homeless children which, for reasons of logistics and finances, could not be readily surveyed. Scattered throughout the state are a number of motels which have essentially become weekly boarding houses. Often located on highways that have been bypassed by interstates, these motels are frequently available at very low weekly rates. We are certain that a number of children who fit the McKinney definition of homeless reside in these structures, but we could not find a way to contract them

given the time and resource constraints of the project. Consequently, the figures cited below are likely to be somewhat understated.

A complete breakdown of the data by APDC district is included as Appendix VI. At first glance, some readers may question the validity of some of the data because of the misconception that the homeless problem is an "Atlanta" problem. The Atlanta data are included under the north Georgia heading. The low estimate for that region is lower than for middle and south Georgia because of three major reasons:

1. The nonresponding DFACS offices tended to be from more populous counties including some in the Atlanta area.
2. The impact of the advocates' attempts to keep school systems from identifying homeless children would appear to be more of a factor in the Atlanta area than other areas of the state. Some of the numbers reported by Atlanta area school systems were lower than common sense would dictate. This would appear to be directly related to the success of the advocate groups in convincing local school systems to avoid labeling children as homeless.

3. Many of the north Georgia counties reported a very low incidence of homelessness, especially in the mountain, sub-Appalachian areas. There is a body of sociological literature that indicates that the Appalachian culture foster a strong sense of "taking care of our own" and resistance to public assistance. This attitude was stated by some of the agency representatives we interviewed in this area.

The high estimate for north Georgia attempts to account for the above mentioned factors.

Table 2
Statewide Estimates of
Homeless Children in Georgia

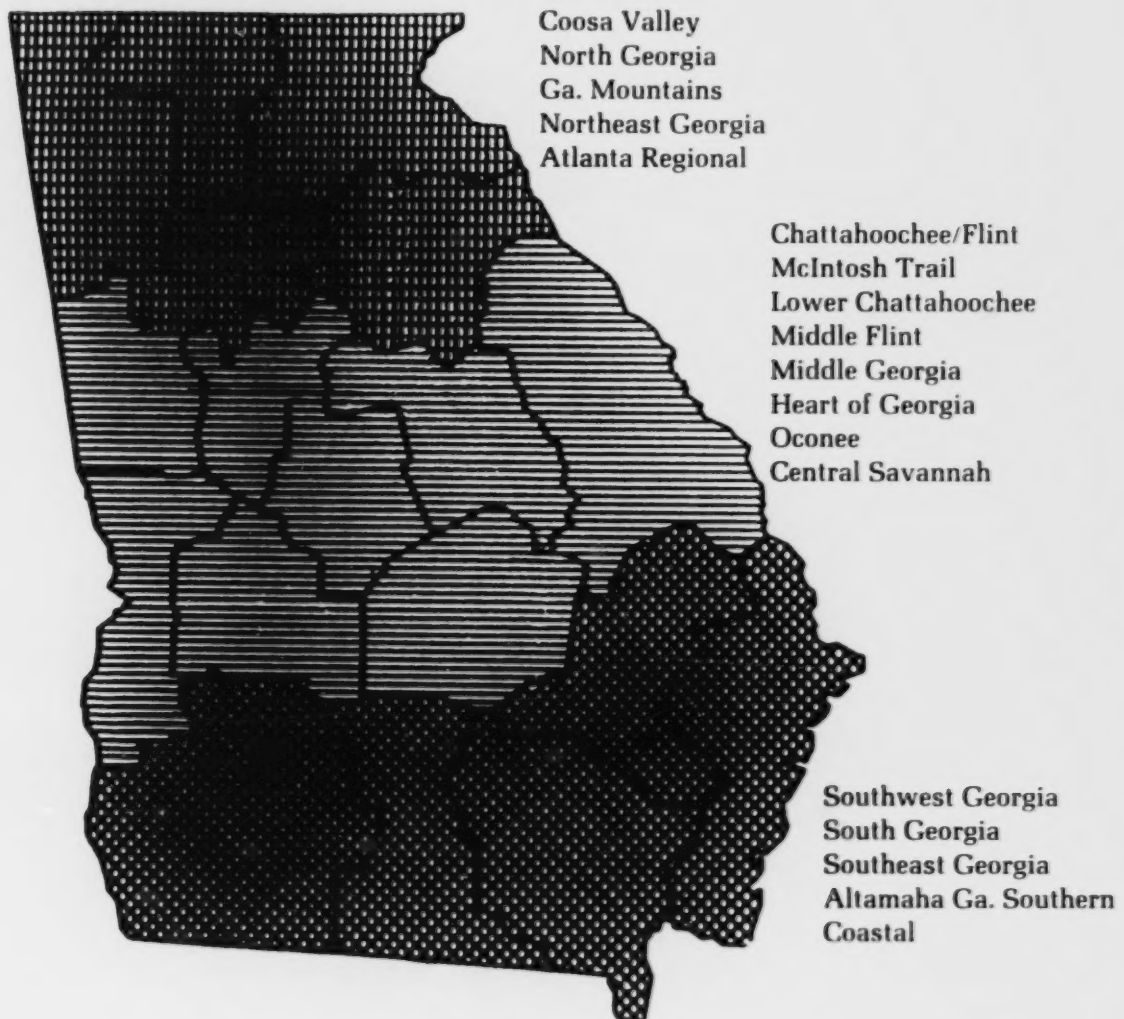
	Low Estimate	High Estimate
Homeless Children	5981	9489
Preschool	2744	4068
Age 6-11	1950	3267
Age 12-14	830	1390
Age 15-18	457	764
Migrant Children	4216	
Preschool	1187	
School-age	3029	
	Low Estimate	High Estimate
Homeless and Migrant Children	10197	13705

Table 3
Estimates of Homeless and Migrant
Children by Geographic Regions

	NORTH GEORGIA		MIDDLE GEORGIA		SOUTH GEORGIA	
	Low Estimate	High Estimate	Low Estimate	High Estimate	Low Estimate	High Estimate
Homeless Children	1316	3865	2430	3156	2235	2477
Preschool	447	1392	867	1145	1430	1531
Grade	523	1493	941	1211	486	572
Middle	221	631	401	515	208	244
High	125	349	221	285	111	130
Migrant Children	617		838		2761	
Preschool	136		263		788	
School-age	481		575		1973	
	Low Estimate	High Estimate	Low Estimate	High Estimate	Low Estimate	High Estimate
Homeless and Migrant Children	1933	4482	3268	3994	4996	5238

See map on page 29 for Geographic Definition of North, Middle, and South.

Geographic Regions Reflecting Estimates of Homeless and Migrant Children



 North

 Central

 South

Suggested Guidelines for the Enrollment, Transfer and Withdrawal of Homeless Children and Youth

Title VII-B of the Stewart B. McKinney Homeless Assistance Act provides federal regulations for assuring that homeless children and youth have access to a free, appropriate public education which would be provided to the children of a resident of a state and is consistent with the state school attendance laws. It also authorizes the state education agency to adopt a plan that assures that local education agencies shall continue the homeless child or youth's education in the school district of origin for the remainder of the school year or enroll the child or youth in the school district where the child or youth is actually living. It further states that each homeless child or youth will be provided educational services for which the child meets eligibility criteria, such as compensatory education programs for the disadvantaged and education programs for the handicapped and for students with limited English proficiency; programs in vocational education; programs for the gifted and talented and school meal programs.

In accordance with the McKinney Act, the Georgia Department of Education has prepared these "Suggested Guidelines" to provide guidance to the local education agencies for the development of policies and procedures relating to the enrollment, transfer and withdrawal of homeless children and youth. The thrust of this guidance is toward removing delays experienced in registering and enrolling homeless children and youth, and expediting the communication necessary for the prompt receipt and transfer of records related to that process.

General Information

Barriers

When there is a delay in or outright denial of enrollment encountered by homeless school-aged children and youth, the problems most frequently cited include the following.

- Lack of transcripts/school records
- Lack of immunization/health records

- Residency requirements
- Guardianship/custody requirements
- Lack of transportation

Enrollment

Requirement: Establish Residence

1. A parent/guardian and student with a questionable place of residence may present themselves to enroll at a public school. School administrative personnel should make a determination of the student's residential status based upon the definition in Section 103(a) 1,2 of the McKinney Act. If the student is identified as homeless via the definition, carefully consider options provided by the law, presented in the next item (2), enroll the student and determine free meal and transportation needs.

2. Homeless students have two options for enrollment: a) continue enrollment in the school/school district attended prior to homelessness; b) enroll in the school/school district where student is presently living. Before making a decision, school administrative personnel should consult with parent/guardian and/or student and carefully consider what is in the best interest of the student (e.g. family plans, educational services, special programs, transportation, length of stay in sheltering facility).

Definition:

Section 103 (a) of the McKinney Act defines the term homeless as including:

- (1) an individual who lacks a fixed, regular, and adequate nighttime residence; and
- (2) and individual who has a primary nighttime residence that is
 - A) a supervised publicly operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - B) an institution that provides a temporary residence for individuals intended to be institutionalized; or
 - C) a public or private place not designed for, or ordinarily used

as, a regular sleeping accommodation for human beings.

Section 103(c) excludes from the definition of homeless "any individual imprisoned or otherwise detained pursuant to an Act of Congress or a State Law".

Requirement: School and Health Records

1. A homeless parent/guardian and student may want to enroll without a transcript/grade record, birth certificate, and/or immunization and health records. If so, school administrative personnel should contact the former school by telephone to request the student's records and discuss immunization information and tentative placement. They should then request a 30-day in-state or a 90-day out-of-state extension certificate for immunization from the superintendent or the superintendent's designee. The student should then be enrolled. If it is determined that no records are available or exist, the local school should create a cumulative record folder in accordance with established guidelines. School administrative personnel should obtain a simple release from the parent/guardian to facilitate release of information by former school/school district. (See sample below)

2. The school administrative personnel should contact the local health department to obtain information about the immunization status of a homeless student. If there are no records of the homeless student's immunization status, an appointment for the student needs to be made with the local health department and follow-up provided to ensure that the student has been immunized.

Requirement: Guardianship/Custody

1. A homeless student may arrive at the school without a parent or legal guardian and want to enroll. If so, enroll the student and make every effort to contact the parent/guardian to complete the enrollment process. Maintain documentation of all written/verbal communication and home visits to contact the parent/guardian.

2. In exceptional cases where no parent/guardian can be located, contact the local social services agency (DFACS) to report the homeless

child as a child in need of assistance, and in the interim, appoint an adult (relative, friend or volunteer) who will act in place of parent to make education decisions. Each local education agency should establish procedures to carry out this process. As part of the process, the local education agency may wish to develop a "Notarized Authorization Form" for this purpose.

Release of Information

I, (Parent/Guardian), hereby authorize the local unit of administration for (Former School System) to release information regarding the name, sex, age, educational status and health to the local unit of administration for (Receiving School System) for the purpose of enrollment and educational placement of my child (Student Name).

Transfer/Withdrawal

1. Homeless students often leave school without officially transferring or withdrawing from the school. In this event follow the policy established by your school system.

Receiving school: If a homeless student is transferring without the proper transfer or withdrawal form from the previous school, enroll the student and call the former school for transfer and/or withdrawal information.

Sending school: Give requested information by telephone and forward records for the homeless student within 15 days. Complete necessary forms to place student on transfer or withdrawal status at your school.

2. Homeless students may return to their former school or transfer to a new school within the same academic year. In this event, make every effort to remove student from withdrawal status and place on re-entry or transfer status. School administrative personnel should contact the previous school by telephone to request the student's records and discuss educational placement. Student records should be forwarded within 15 days.

Federal law prohibits discrimination on the basis of race, color or national origin (Title VI of the Civil Rights Act of 1964); sex (Title IX of the Educational Amendments of 1972 and Title II of the Vocational Education Amendments of 1976); or handicap (Section 504 of the Rehabilitation Act of 1973) in educational programs or activities receiving federal financial assistance.

Employees, students and the general public are hereby notified that the Georgia Department of Education does not discriminate in any educational programs or activities or in employment policies.

The following individuals have been designated as the employees responsible for coordinating the department's effort to implement this nondiscriminatory policy.

Title II - Audrey Reid, Vocational Equity Coordinator

Title VI - Josephine Martin, Associate State Superintendent of Schools, Coordinator

Title IX - Ishmael Childs, Coordinator

Section 504 - Wesley Boyd, Coordinator

Inquiries concerning the application of Title II, Title IX or Section 504 to the policies and practices of the department may be addressed to the persons listed above at the Georgia Department of Education, Twin Towers East, Atlanta 30334; to the Regional Office for Civil Rights, Atlanta 30323; or to the Director, Office for Civil Rights, Education Department, Washington, D.C. 20201.

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Georgia Department of Education
Atlanta, Georgia 30334-5040
Werner Rogers
State Superintendent of Schools
1989**